

#5 Terminal Disclaimer
h. m. o. g. a. -
10/2/01

P-3724-2-F1-C1-C1
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael J. Sullivan
Serial No.: 09/776,278
Filed: February 2, 2001
Group No.: 3711
Examiner: R. Gorden
For: Improved Multi-Layer Golf Ball



Commissioner of Patents and Trademarks
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR 1.321(b))**

Identification Of Person(s) Making This Disclaimer

Name(s) of disclaimant(s): Richard M. Klein
having an address of: Fay, Sharpe, Fagan, Minnich & McKee, LLP
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2518

represent that I am

- ☐ an inventor of this invention
☐ an assignee of this invention
☒ XX Attorney of record in the present application

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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an enveloped addressed to the: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Laura J. Nolan

Date: September 19, 2001

(Terminal Disclaimer to Obviate a Double Patenting Rejection (37CFR 1.321(b))
{9-4}-page 1 of 4)

NOTE - See fee on # 6

Identity of Assignee and Title of Disclaimant (if applicable)

The assignee is

Name of assignee: Spalding Sports Worldwide, Inc.
Address of assignee: 425 Meadow Street
Chicopee, MA 01013

Title of disclaimant authorized to sign on behalf of assignee:

Counsel

Recordal of Assignment in PTO

XX the assignment to Spalding Sports Worldwide, Inc. from Lisco Inc.
was recorded on Reel: 010232; Frame: 0251 on April 23, 1999;
the assignment to Lisco Inc. was recorded on Reel: 7750; Frame: 0242
on November 9, 1995
___ authorization for recordal of the assignment is separately attached

Extent of Interest

The extent of my (our) interest is in

XX the whole of this invention
___ a sectional interest in this invention as follows (here
state the exact interest of the disclaimant(s):

Statement Pursuant to 37 C.F.R. 3.73(b)

I the undersigned, have reviewed all the evidentiary documents in the chain
of title of the

XX patent application
___ patent

matter identified above and, to the best of my knowledge and belief, title is in the
assignee identified above which is seeking to take action.

Disclaimer

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

XX United States Patent No. 6,210,293, as presently shortened by any terminal disclaimer

 Any patent granted on application number:

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

XX United States Patent No. 6,210,293

 Any patent granted on application number:

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

XX United States Patent No. 6,210,293 as presently shortened by any terminal disclaimer

 Any patent granted on application number:

In the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Fee Status*(37 CFR 1.20(d) and 37 CFR 1.321)*XX other than a small entity -- fee \$110.00 small entity--fee \$55.00 verified statement attached verified statement filed on _____**Fee Payment** Attached is a check in the sum of \$ _____ The fee for this Disclaimer was previously paid on ; _____.XX Charge Account **17-0150** for any fee deficiency required by this paper.XX Charge Account **17-0150** the sum of **\$110.00**. A duplicate of this disclaimer isXX attached.**Declaration**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Spalding Sports Worldwide, Inc.Date: 9/4/2001By: Richard M. Klein

Richard M. Klein, Counsel

Reg. No. 33,000

Fay, Sharpe, Fagan, Minnich & McKee, LLP

1100 Superior Avenue, Seventh Floor

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Spalding Sports Worldwide, Inc.Date: 9/4/2001By: Richard M. Klein (Rmk 10/4/2001)
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